

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT  
Southern District of New York

SUMMONS IN A CIVIL CASE

One Communications Corp., as successor in  
interest to CTC Communications Group, Inc.  
and CTC Communications Acquisition Corp.,

Plaintiff,

V.

'07 CIV 3905  
CASE NUMBER:

JP Morgan SBIC LLC, Sixty Wall Street SBIC  
Fund, L.P., The Megunticook Fund II, L.P.,  
The Megunticook Side Fund II, L.P.,  
Kevin O'Hare, Jeffrey Koester, Mellon Investor  
Services LLC as nominal defendant as escrow  
agent and Verizon New England Inc. as defendant  
on a declaratory judgment claim,

JUDGE SWAIN

Defendants.

TO: (Name and address of Defendant)

See attached list of defendants.

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

TEITLER & TEITLER  
John M. Teitler (JT-3111)  
Nicholas W. Lobenthal (NL-1451)  
1114 Avenue of the Americas  
New York, NY 10036  
(212) 997-4400

an answer to the complaint which is served upon you with this summons, within 20 days  
after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by  
default will be taken against you for the relief demanded in the complaint. Any answer that you serve  
upon the parties to this action must be filed with the Clerk of this Court within a reasonable period of time  
after service.

J. MICHAEL McMAHON  
CLERK

DATE MAY 18 2007

*Manos Quintero*

(BY) DEPUTY CLERK

**LIST OF DEFENDANTS**

JP Morgan SBIC LLC  
C/o J.P. Morgan Partners, LLC  
270 Park Avenue  
New York, NY 10017  
New York County

Sixty Wall Street SBIC Fund, L.P.  
270 Park Avenue  
New York, NY 10017  
New York County

The Megunticook Fund II, L.P.  
143 Newbury Street  
Boston, MA 02116  
Suffolk County

The Megunticook Side Fund II, L.P.  
143 Newbury Street  
Boston, MA 02116  
Suffolk County

Kevin O'Hare  
48 Steeplechase Drive  
Doylestown, PA 18901  
Bucks County

Jeffrey Koester  
32 Haskell Lane  
Marlborough, Massachusetts 01752  
Middlesex County

Verizon New England Inc.  
185 Franklin Street  
Boston, MA 02110  
Suffolk County

Mellon Investor Services LLC  
480 Washington Boulevard  
Jersey City, NJ 07310  
Hudson County

**AFFIDAVIT OF SERVICE THROUGH THE SECRETARY OF STATE**

Index # 07 CIV 3905

Purchased/Filed: May 18, 2007

STATE OF NEW YORK

UNITED STATES DISTRICT COURT

SOUTHERN COUNTY

One Communications Corp., as Successor in interest to CTC Communications Group, Inc., et ano.

Plaintiff

against

JP Morgan SBIC LLC, Sixty Wall Street SBIC Fund, L.P., The Megunticock Fund II, L.P., et al.

Defendant

STATE OF NEW YORK  
COUNTY OF ALBANY

SS.:

Jessica Miller, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on May 24, 2007, at 11:45am, at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed

Summons in a Civil Case, Complaint, Rule 7.1 Disclosure Statement, Civil Cover Sheet, Individual Practices of Judge Laura Taylor Swain, 3rd Amended Instructions for Filing an Electronic Case or Appeal, Procedures for Electronic Case Filing, Guidelines for Electronic Case Filing, and Individual Practices of Magistrate Judge Andrew J. Peck Bearing the above Index # and Filing Date on

J.P. Morgan Investment LLC s/h/a JP Morgan SBIC LLC, the Defendant in this action, by delivering to and leaving with Carol Vogt, AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, 1 true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40.00 dollars; That said service was made pursuant to Section 304 Limited Liability Company Law.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant. A copy of this Affidavit and a copy of the papers have been sent to the defendant via Registered

Mail 7778 4256 4275 5000 0775 to 1211 Avenue of Americas, New York NY 10020 and 7778 4256 4275 5000 0782 to The Corporation Trust Company, Corporation Trust Center 1209 Orange Street, Wilmington DE 19801.

Description of the person served: Approx. Age: 46 Approx. Wt: 110 lbs. Approx. Ht: 5' 1"  
Color of skin: White Hair color: Brown Sex: Female Other: glasses

Sworn to before me on this

29th day of May 2007

Deborah A Bottisti (Berlin)

DEBORAH A BOTTISTI

NOTARY PUBLIC, State of New York

No 01BO6036756, Qualified in Albany County

Commission Expires February 7, 2010

Jessica Miller  
Jessica Miller

Invoice•Work Order # 0611862

State of New York - Department of State  
Receipt for Service

Receipt #: 200705240198

Cash #: 200705240186

Date of Service: 05/24/2007

Fee Paid: \$40 - DRAWDOWN

Service Company: 05 ATTORNEY'S PROCESS & RESEARCH SERVICES -

Service was directed to be made pursuant to: SECTION 304 OF THE LIMITED  
LIABILITY COMPANY LAW

Party Served: J.P. MORGAN INVESTMENT LLC

Plaintiff/Petitioner:

ONE COMMUNICATIONS CORP.

Service of Process Address:

Secretary of State  
By CAROL VOGT

		Date Stamp	
To Be Completed By Post Office	Reg. Fee	9.32.30	0206
	Handling Charge	\$0.00	Return Receipt 2.23.15 09
	Postage	2.52.84	Restricted Delivery \$0.00 05/29/07
	Received by		
	Customer Must Declare Full Value \$0.00		
		<input type="checkbox"/> With Postal Insurance	Domestic Insurance up to \$25,000 is included in the fee. International Indemnity is limited. (See Reverse).
		<input checked="" type="checkbox"/> Without Postal Insurance	
OFFICIAL USE			
To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	APRS	
		PO Box 10277	
	TO	Albany, NY 12201	
		NEW YORK M. D. 10020 Investment LLC	
		1211 Avenue of Americas	
		New York, NY 10020	

PS Form 3806, Receipt for Registered Mail Copy 1 - Customer  
May 2004 (7530-02-000-9051) (See Information on Reverse)  
For domestic delivery information, visit our website at [www.usps.com](http://www.usps.com)®

		Date Stamp	
To Be Completed By Post Office	Reg. Fee	9.55	0206
	Handling Charge	\$0.00	09
	Postage	2.50	05/29/07
	Return Receipt	2.25	
	Restricted Delivery	\$0.00	
Received by			
Customer Must Declare Full Value \$0.00		<input type="checkbox"/> With Postal Insurance <input checked="" type="checkbox"/> Without Postal Insurance	
Domestic Insurance up to \$25,000 is included in the fee. International Indemnity is limited. (See Reverse).			
<b>OFFICIAL USE</b>			
To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	12305 APRS PO Box 1027 Albany, NY 12201	
	TO	WILMINGTON DE 19801 Investment LLC c/o The Corporation Trust Company Corporation Trust Center, 1209 Orange St Wilmington DE 19801	

PS Form 3806, Receipt for Registered Mail Copy 1 - Customer  
 May 2004 (7530-02-000-9051) (See Information on Reverse)  
 For domestic delivery information, visit our website at [www.usps.com](http://www.usps.com)®

United States District Court

County of Southern District of NY

One Communications Corp., Successor in interest to CTC Communications Group, Inc. et ano.

vs

JP Morgan SBIC LLC, Sixty Wall Street SBIC Fund, L.P., The Megunticook Fund II, L.P., et al.

Index Number: 07 CIV 3905

Filed On: 5/18/2007

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SUPPLEMENTAL AFFIDAVIT OF SERVICE/MAILING

Jessica Miller, being duly sworn, says:

I am over the age of 18 years and am not a party to this action. On the 29th of May, 2007 I sent on behalf of the Plaintiff herein a copy of the Summons in a Civil Case, Complaint, Rule 7.1 Disclosure Statement, Civil Cover Sheet, Individual Practices of Judge Laura Taylor Swain, 3<sup>rd</sup> Amended Instructions for Filing an Electronic Case or Appeal, Procedures for Electronic Case Filing, Guidelines for Electronic Case Filing and Individual Practices of Magistrate Judge Andrew J. Peck Bearing the above Index # and Filing Date together with notice of the service upon the Secretary of State thereof to J.P. Morgan Investment LLC s/h/a JP Morgan SBIC LLC, the Defendant herein, by registered mail via United States Postal Service (Registered Mail No. 7778 4256 4275 5000 0775 and 7778 4256 4275 5000 0782) in a securely sealed envelope with sufficient postage thereon with return receipt requested addressed to:

New York: 1211 Avenue of Americas, New York NY 10020

Delaware: The Corporation Trust Company, Corporation Trust Company 1209 Orange Street, Wilmington DE 19801

ATTACHED HERETO AND MADE A PART HEREOF IS THE

- ☒ SIGNED RETURN RECEIPT FROM THE DEFENDANT
- ☐ RETURNED MAIL
- ☐ UNCLAIMED
- ☐ RETURNED TO SENDER
- ☐ UNDELIVERABLE AS ADDRESSED

Sworn to before me this

7th day of June, 2007

*Deborah A. Bottisti* (Deborah A. Bottisti)

Deborah A. Bottisti

Notary Public, State of New York

No. 01BO6036756

Qualified In Albany County

Commission Expires February 7, 2010

*Jessica Miller*  
\_\_\_\_\_  
Jessica Miller



7778 4256 4275 5000 0775

3. Service Type **REGISTERED MAIL**4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

0611862  
J.P. Morgan Investment LLC  
1211 Avenue of Americas  
New York, NY 10020

Receiver by (Please Print Clearly)		B. Date of Delivery	
D. BARNES		6/11/07	
C. Signature		<input type="checkbox"/> Agent	
X <i>D. Barnes</i>		<input type="checkbox"/> Addressee	
D. Is delivery address different from item 1? If YES, enter delivery address below:		<input type="checkbox"/> Yes <input type="checkbox"/> No	

Reference Information

PS Form 3811, July 2001

Domestic Return Receipt



7778 4256 4275 5000 0782

3. Service Type **REGISTERED MAIL**4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

0611862-A  
J.P. Morgan Investment LLC  
c/o The Corporation Trust Company  
Corporation Trust Center  
1209 Orange Street  
Wilmington, DE 19801

A. Receiver (Please Print Clearly)


JOSEPH TABIRI

B. Date of Delivery

6/4/07

C. Signature

X

☒ Agent☐ Address

D. Is delivery address different from item 1?

If YES, enter delivery address below:

☐ Yes☐ No  
Reference Information

PS Form 3811, July 2001

Domestic Return Receipt